**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Cr.Misc. No.29221 of 2008**
**MARFUL SHEKH, AQUB @ AQUB SK, ATMUDDIN SHEKH @ SAKMUDDIN SK.& ABDUL SATTAR @ ABDUL SK.**
**Versus**
**STATE OF BIHAR**
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**2. 5.8.2008** Heard.

Some children were reported being taken away for being employed at a monthly salary of Rs.1500/-. The FIR itself indicates that their parents were consenting to the taking away of the children and had also received Rs.100/- as advance. The case has been registered under Sections 363, 373, 374 of the IPC.

The contention is that Section 363 IPC is bailable and offences under the remaining Sections of the IPC are not made out. Even if the facts could be stretched to make out a case under Section 374 IPC, it could again be bailable.

Regard being had to the facts of the case and the contentions, let the above named four petitioners be released from custody on furnishing bond of Rs.10,000/-(ten thousand)each with two sureties of the like amount each to the satisfaction of Railway Judicial Magistrate, Bhagalpur in Bhagalpur Rail P.S.Case no.18 of 2008.

**( Dharnidhar Jha, J. )**

**B.Kr.**

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